

App. No. 10/604,065
Response dated September 28, 2005
Reply to Office Action of June 29, 2005

REMARKS

Summary of Amendments

1. The specification has been amended at initiative on Applicants' behalf to editorially revise a phrase in paragraph [0007] and to correct, as a formal matter only, numerous instances of garbled text; of course no new matter has been added.¹

(The garbling of certain symbols in the present case has been found by Applicants' undersigned representative to be an artifact of the submission of the present application by means of the USPTO's Electronic Filing System. When the present application was electronically filed, versions of the specification printed out via browser display and via "ePAVE" (the USPTO's proprietary electronic submission software)—and still viewable—on Applicants' end did not then, and do not now, contain illegible text. The helpdesk at EFS has confirmed that if garbled-text-containing specifications on the EFS server are opened off-server (i.e., on another machine), then the garbled text no longer appears.)

Claims 1 through 4 were originally presented in this application. No claims have been canceled. New claim 5 has been added. Claim 1 has been amended, as described in more detail below, to more particularly point out and distinctly claim the inventive material of the instant invention. Claims 1 through 5 remaining pending.

Rejection under 35 U.S.C. § 102

Claims 1-4, 1 & 3, 1 & 3; Soma et al. '690, Kawanabe et al. '557, Kimura '134

2. Independent claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by *Soma et al.* (U.S. Pat. No. 5,231,690), *Kawanabe et al.* (U.S. Pat. No. 6,133,557), and *Kimura* (U.S. Pat. No. 5,331,134).
3. Independent claim 1 has been amended to recite: "such that in use the wafer-carrying surface has a temperature distribution of within ± 1 percent." Support for this amendment may be found, for example, in paragraphs [0015], [0016], [0071] and in the table of the original specification such that no new search is required and no new matter has been entered.

¹ Please note that in making these amendments, the paragraph numbering that has been followed is that of the IFW/PALM version, not the XML version published by the Publication Division.

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4. Applicants respectfully submit that, as amended, claim 1 now distinguishes patentably over *Soma et al.*, *Kawanabe et al.*, and *Kimura*. It is well settled that there is no anticipation unless (1) all the same elements are (2) found in exactly the same situation and (3) are united in the same way to (4) *perform the identical function*. Nothing in any of the prior art of record teaches, or even suggests, electrodes being separated by an interval that is 10% or more of the thickness of the wafer holder such that, in use, the wafer-carrying surface has a temperature uniformity of within ± 1 percent.
5. Moreover, *Soma et al.* and *Kawanabe et al.* show no recognition of the problem faced by the Applicants, namely that of achieving high temperature uniformity at the wafer-carrying surface. On the contrary, both *Soma et al.* and *Kawanabe et al.* are concerned with improving the corrosion resistance of metal containing heating elements used in wafer holders (see column 1, lines 17-27 and column 5, lines 64-66 in *Soma et al.* and the abstract in *Kawanabe et al.*).
6. Applicant therefore respectfully submits that independent claim 1, as amended, is patentable over the prior art of record. Independent claim 1 being allowable, it follows *a fortiori* that dependent claims 2 through 4 must also be allowable, since these dependent claims carry with them all the elements of independent claim 1.

Rejections under 35 U.S.C. § 103

Claims 2 and 4; Kawanabe et al. '557 in view of Shamouilian et al. '814

7. Claims 2 and 4 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Kawanabe et al.* in view of *Shamouilian et al.* (U.S. Pat. No. 6,572,814). Applicants respectfully submit that this rejection is rendered moot in view of the remarks set forth above in paragraphs 3 through 6.
8. New independent claim 5 is presented for consideration in this paper. New claim 5 recites a wafer holder comprising a

wafer-carrying surface, a plurality of electrical circuits . . . , and at least three electrodes for supplying power to said plurality of electrical circuits, each pair of electrodes being separated by an interval that is 10% or more of the thickness of the wafer holder such that in use the wafer-carrying surface has a temperature distribution of within ± 1 percent.

New claim 5 is supported by original claim 1, Fig. 1, and paragraphs [0015] through [0017] and the table in the original specification such that no new search is required and no new matter has been added.

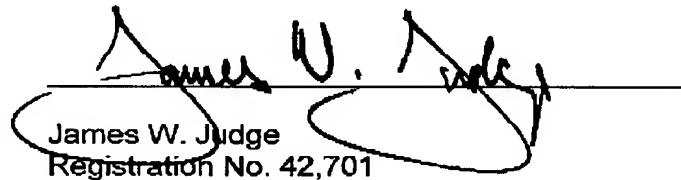
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9. Applicant respectfully submits that new claim 5 distinguishes patentably over the prior art of record for the same reasons as amended independent claim 1 (see Paragraphs 3 through 5). Moreover, new claim 5 is further distinct from the prior art of record in that it recites "a plurality of electrical circuits" and "at least three electrodes for supplying power to the plurality of electrical circuit, each pair of electrodes being separated by an interval that is 10% or more of the thickness of the wafer holder" (emphasis added). Nowhere in the prior art of record is such a combination of elements taught, or even suggested.

Applicant believes that this application is now in full condition for allowance, which action Applicant earnestly solicits.

Respectfully submitted,

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